REMARKS

Initially, Applicants would like to thank the Examiner for acknowledging consideration of each of the documents submitted with Information Disclosure Statements filed on August 5, 2005 and March 24, 2004. However, insofar as several of the PTO-1449 Forms submitted with these Information Disclosure Statements have previously been marked to indicate that documents cited therein were "not considered" (e.g., with slashes drawn through several citations listed on the PTO-1449 Forms), Applicants are submitting herewith clean copies of the previously submitted PTO-1449 Forms. Applicants request that the Examiner initial each of the references listed on the attached PTO-1449 forms, and not cross out any such references, so as to ensure that the record clearly reflects that these references were considered by the Examiner. Applicants respectfully request that the Examiner return the initialed PTO-1449 forms with the next Official Action in the present application.

Applicants would also like to thank the Examiner for acknowledging the acceptance of drawings filed with the previous Response on March 20, 2006.

In the outstanding Final Official Action, claims 10-23 were rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-10 of U.S. Patent No. 6,735,714. Claims 10 and 17 were also rejected under 35 U.S.C. §112, second paragraph, as indefinite. Applicants traverse each of the above-noted rejections.

Upon entry of the present amendment, claims 10, 15, 17 and 22 will have been amended. In this regard, Applicants submit that the herein-contained amendments are

made merely to explicitly recite that the previously-recited "lower part" of data is a "second part" that is lower than a "first part" which was previously recited as a "higher part". Applicants submit that the previously-recited "higher part" and "lower part" would have been understood as being higher and lower with respect to each other, and such a relative measure would have been understood by one of ordinary skill in the art, whether considered in absolute terms to be actual values or the order of individual digits (e.g., because higher order digits for real values would also have higher absolute values than any lower order digits for real values) . Applicants particularly note that the Examiner appears to have understood the meaning of the previous recitations, insofar as these recitations were addressed in the obviousness-type double patenting rejection over claims 1-10 of U.S. Patent Number 6,735,714. At least because the previously-recited recitations would have been definite to one or ordinary skill in the art, and appear to have been treated and understood as definite by the Examiner, Applicants submit that the outstanding rejection under 35 U.S.C. §112, second paragraph, is improper. Nevertheless, Applicants have amended the claims to explicitly recite that the second part is lower with respect to the first part. Applicants submit that the claims now pending are allowable, and request reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. §112, second paragraph.

Applicants traverse the obviousness-type double patenting rejection of claims 10-23 over claims 1-10 of U.S. Patent Number 6,735,714. In this regard, Applicants are filing a terminal disclaimer to disclaim the terminal part of any patent granted on the present application which would extend beyond the expiration of U.S. Patent No. 6,735,714.

The filing of the attached terminal disclaimer should not be considered an indication of Applicants' or the Assignee's acquiescence as to the propriety of the double-patenting rejections. Rather, Applicants are filing the terminal disclaimer merely to remove any issue as to whether the claims of the above-identified application and those of U.S. Patent No. 6,735,714 in any way conflict. In this regard, neither applicants nor the assignee intend to make any representation as to whether the invention defined by any of the claims of the above-identified application would have been obvious in view of any other pending application or issued patent or whether an obviousness-type double patenting rejection would be appropriate if the enclosed terminal disclaimer were not filed. The terminal disclaimer is being filed only to expedite the allowance of the pending claims.

At least in view of the herein-contained terminal disclaimer, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection of claims 10-23 under the judicially-created doctrine of obviousness-type double patenting.

Applicants have additionally amended claims 10 and 17 in a manner that may be considered to broaden the scope of the claims. Regardless of the amendments to claims 10 and 17, Applicants submit that the claims now pending are not disclosed, suggested or rendered obvious by the teachings of the prior art.

In view of the herein-contained amendments and remarks, Applicants respectfully submit that independent claims 10 and 17 are now in condition for allowance. Dependent claims 11-16 and 18-23 are also now in condition for allowance at least for depending, directly or indirectly, from an allowable independent claim as well as for additional reasons related to their own recitations. Accordingly, Applicants

respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the claims now pending.

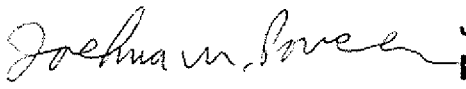
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have presented a Terminal Disclaimer, and have shown how the features of the claims would be considered definite under 35 U.S.C. §112, second paragraph (and were treated as definite by the Examiner in the obviousness-type double patenting rejection). Applicants have also amended the claims to explicitly recite that the previously-recited "lower part" of data is a "second part" that is lower than a "first part" which was previously recited as a "higher part"

Any amendments which have been made in this amendment, which have not been specifically noted as being made to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Ryutaro YAMANAKA et al.



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